

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MAGDALINA KALINCHEVA, M.D.,

Plaintiff,

v.

JESSE NEUBARTH,

Defendant.

No. C 13-3212-SI

No. C 13-3294-SI

No. C 14-3323-SI

**ORDER DENYING PLAINTIFF'S  
MOTION TO PROCEED IFP AND  
PLAINTIFF'S MOTION FOR FREE  
ACCESS AND EXEMPTION FROM  
PACER USER FEES**

Presently before the Court are two motions by plaintiff Magdalina Kalincheva, proceeding *pro se*, to proceed *in forma pauperis* and for free access and exemption from PACER user fees in all districts for the next twenty-four years. The motions state that they are being filed in Case Nos. 13-cv-3212, 13-cv-3294, and 14-cv-3323.<sup>1</sup>

On July 11, 2013, plaintiff filed an action in the Northern District of California against defendant Jesse Neubarth. *Kalincheva v. Neubarth*, No. 13-cv- 3212, Docket No. 1 (N.D. Cal. Jul. 11, 2013). This Court transferred the action to the Eastern District of California. *Id.*, Docket No. 14. In the order, the Court noted that both plaintiff and defendant reside in the Eastern District, and no defendant is alleged to reside in, and none of the events or omissions giving rise to the complaint occurred in, the Northern District. *Id.* On February 21, 2014, the district court in the Eastern District of California dismissed the action and entered judgment against plaintiff. *Kalincheva v. Neubarth*, No. 2:13-cv-1601, Docket Nos. 17, 18 (E.D. Cal. Feb. 21, 2014).

On July 15, 2014, plaintiff filed a second action in the Northern District of California against

<sup>1</sup> The motions also state that they are being filed in Case No. 14-cv-2705. That case was before Judge Hamilton. On August 7, 2014, Judge Hamilton transferred the action to the Eastern District of California. *Kalincheva v. Neubarth*, No. 14-cv-2705, Docket No. 24 (N.D. Cal. Aug. 7, 2014).

1 defendant Jesse Neubarth. *Kalincheva v. Neubarth*, No. 13-cv-3294, Docket No. 1 (N.D. Cal. Jul. 15,  
2 2013). This Court also transferred the second action to the Eastern District of California. *Id.*, Docket  
3 No. 13. On September 16, 2013, the district court in the Eastern District of California dismissed the  
4 action and entered judgment against plaintiff. *Kalincheva v. Neubarth*, No. 2:13-cv-1676, Docket Nos.  
5 17-18 (E.D. Cal. Sept. 16, 2013).

6 On July 23, 2014, plaintiff filed a fourth action<sup>2</sup> in the Northern District of California against  
7 defendant Jesse Neubarth. *Kalincheva v. Neubarth*, No. 14-cv-3323, Docket No. 1 (N.D. Cal. Jul. 23,  
8 2014). This Court also transferred the third action to the Eastern District of California. *Id.*, Docket No.  
9 9. That action is now pending in the Eastern District of California.

10 Because Case Nos. 13-cv-3212, 13-cv-3294, and 14-cv-3323 have been transferred to the  
11 Eastern District of California and are no longer presently before this Court, the Court DENIES  
12 plaintiff's two motions without prejudice to plaintiff refiling the motions in her pending action in the  
13 Eastern District of California. This Order resolves Docket Nos. 24 and 25 in Case No. 13-cv-3212 and  
14 Docket Nos. 27 and 28 in Case No. 13-cv-3294.

15  
16 **IT IS SO ORDERED.**

17  
18 Dated: August 21, 2014

19   
20 SUSAN ILLSTON  
21 United States District Judge  
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<sup>2</sup> The third action was Case No. 14-cv-2705 before Judge Hamilton.